

"Express Mail" mailing label number EV 327 171 449 US

Date of Deposit April 8, 2004.

REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR § 1.53(b)(1)

Case No.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	PRIOR ART UNIT
659-2246	CLASS	SUBCLASS	Jerry A. Larengo	1734

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b)(1), of pending prior application number 09/954,444, filed on September 14, 2001, entitled REFASTENABLE ABSORBENT GARMENT.

- ☒ Copy of the application, including 10 sheets of drawings, 46 pages of Application (including title page), and the following Appendices \_\_\_\_\_.
- ☒ Copy of the Declaration filed in the Prior application.
- ☐ PTO Form 1449 and Information Disclosure Statement.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	20 - 20 =	0	x \$ 18 =	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3 =	0	x \$ 86 =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$290 =	\$0
				BASIC FEE (37 CFR 1.16(a))	\$ 770
				Total of above Calculations =	\$770
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				\$
				TOTAL =	\$770

- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  
☐ is enclosed.  
☐ was filed in prior application number \_\_\_\_\_ and such status is still proper and desired (37 CFR 1.28(a)).
- ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ Enclosed is a check for \$ 770.00 to cover the filing fees.
- ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application and otherwise enter the attached preliminary amendment before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- ☒ The inventor(s) of the invention being claimed in this application is(are): Paul T. Van Gompel.
- ☒ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: Daniel M. Guralski, Donald J. Sanders, and David H. Swanton.
- ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☐ continuation ☒ divisional of application number 09/954,444, filed September 14, 2001, the entire disclosure of which is hereby incorporated herein by reference."

11. ☒ New formal drawings are enclosed.
12. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
☐ The certified copy has been filed in prior application number \_\_\_\_\_, filed
13. ☐ A preliminary amendment is enclosed.
14. ☒ The prior application is assigned of record to Kimberly-Clark Worldwide, Inc..
15. ☒ Written Statement About Inventorship.
16. ☒ Return receipt postcard.
17. ☒ The power of attorney in the prior application is to: Andrew D. Stover and other attorneys at the firm of BRINKS HOFER GILSON & LIONE.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future correspondence to: (may only be completed by applicant, or attorney or agent of record.)

4/8/04  
Date

Andrew D. Stover  
BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

Andrew D. Stover  
Signature  
Name: Andrew D. Stover  
Reg. No. 38,629

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record  
☐ Filed under 37 CFR 1.34(a)  
Registration Number if acting under 37 CFR 1.34(a): \_\_\_\_\_

PATENT  
Case No. 659-2246  
Client Case No. 16,146.1

"Express Mail" Mailing Number EV 327 171 449 US

Date of Deposit April 8, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Paul Van T. Van Gompel	)	Prior Examiner: Jerry A. Larengo
	)	
Serial No: (Divisional of 09/954,444)	)	
	)	Prior Group Art No: 1734
	)	
Filed: April 8, 2004	)	
	)	
	)	
For: REFASTENABLE ABSORBENT	)	
GARMENT	)	

WRITTEN STATEMENT ABOUT INVENTORSHIP

Mail Stop Patent Application  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.63(d)(2) and M.P.E.P. § 602.05(a), Applicant hereby states that the subject matter invented by Daniel M. Gurlaski, Donald J. Sanders and David H. Swanton in parent application S/N 09/954,444 is no longer included in the pending claims of this divisional application. Accordingly, Applicant hereby requests that Daniel M. Gurlaski, Donald J. Sanders and David H. Swanton be deleted/omitted as named inventors so that the present divisional application lists Paul T. Van Gompel as the sole inventor.

Any about this Written Statement should be directed to Applicant's undersigned attorney at 312-321-4713.

Dated: April 8, 2004

Respectfully submitted,

By:

  
Andrew D. Stover

Reg. No. 38,629

Attorney for Applicants

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